

No. 18-80096

**In the United States Court of Appeals
for the Ninth Circuit**

GERARDO ORTEGA and MICHAEL PATTON,
Plaintiffs-Petitioners,

v.

J.B. HUNT TRANSPORT, INC., an Arkansas corporation, and DOES 1 TO 100,
Defendant-Respondent.

On Petition for Permission to Appeal in *Ortega v. J.B. Hunt Transport, Inc.*,
No. 2:07-cv-08336-RGK-AFM (C.D. Cal.) (The Honorable R. Gary Klausner)

**UNOPPOSED MOTION TO WITHDRAW PETITION FOR
PERMISSION TO APPEAL UNDER FEDERAL RULE OF CIVIL
PROCEDURE 23(f) AND MOTION TO STAY**

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September 27, 2018

The plaintiffs-petitioners, Gerardo Ortega and Michael Patten, respectfully withdraw both their petition for permission to appeal under Federal Rule of Civil Procedure 23(f) and their emergency motion to stay the district court proceedings. On September 12, 2018, the parties filed a notice of settlement in the district court. On September 19, 2018, the district court, upon review of the notice, directed the parties to file a motion for preliminary approval of the settlement. Since the matter has been resolved, the plaintiffs-petitioners hereby move to withdraw both their petition and their emergency motion to stay proceedings in the district court.

Respectfully submitted,

/s/Deepak Gupta

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September 27, 2018

Counsel for Plaintiffs-Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2018, I filed the foregoing motion with the Clerk of the U.S. Court of Appeals for the Ninth Circuit via the CM/ECF system. All participants are registered CM/ECF users, and will be served by the appellate CM/ECF system.

/s/Deepak Gupta
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